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2
3 BILL NO. G-74-05-16

4 GENERAL ORDINANCE NO. G- 13-74

5 AN ORDINANCE amending General Ordinance No. G-97
6 by authorizing the vacation of a certain alley
7 in the City of Fort Wayne

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
9 WAYNE, INDIANA:

10 SECTION 1. Petition for the vacation of a certain alley having been filed
11 with the Fort Wayne City Plan Commission, and resolution having been duly adopted
12 by the Fort Wayne City Plan Commission on April 15, 1974 following a public hearing
13 thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General
14 Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts
15 of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974
16 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance
17 No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26,
18 1963, is amended by deleting the following public alley in Fort Wayne, Allen County,
19 Indiana, to-wit:

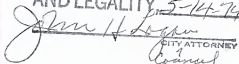
20
21 A portion of the East-West alley, lying between
22 Masterson Avenue and Williams Street, extending
23 135 feet west of the West Right-of-Way of Calhoun
24 Street

25 SECTION 2. After passage of this Ordinance, approval by the Mayor
26 and legal publication, a duly certified copy of this Ordinance, of the recommendation
27 of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be
28 transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne,
29 Indiana.

30 SECTION 3. This Ordinance shall be in full force and effect from and
31 after its passage, approval by the Mayor and legal publication thereof.

32
33 
34 Councilman

35
APPROVED AS TO FORM
AND LEGALITY 5-14-74


CITY ATTORNEY
Council

Read the first time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan ~~Commission for recommendation~~) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 5-14-74

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

	AYES <u>8</u>	NAYS <u>0</u>	ABSTAINED <u>1</u>	ABSENT _____ to-wit:
BURNS	<u>X</u>	_____	<u>X</u>	_____
HINGA	<u>X</u>	_____	_____	_____
KRAUS	<u>X</u>	_____	_____	_____
MOSES	<u>X</u>	_____	_____	_____
NUCKOLS	<u>X</u>	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____

DATE: 5-28-74

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 2-13-74 on the 28th day of May, 1974.

Charles W. Westerman
CITY CLERK

ATTEST: (SEAL) Samuel J. Talarico
PRESIDENT OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 4:30 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 29th day of May, 1974, at the hour of 2:30 o'clock P. M., E.S.T.

John H. ...
MAYOR

Bill No. G-74-05-16

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of a certain
alley in the City of Fort Wayne

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

John Nuckols - Chairman

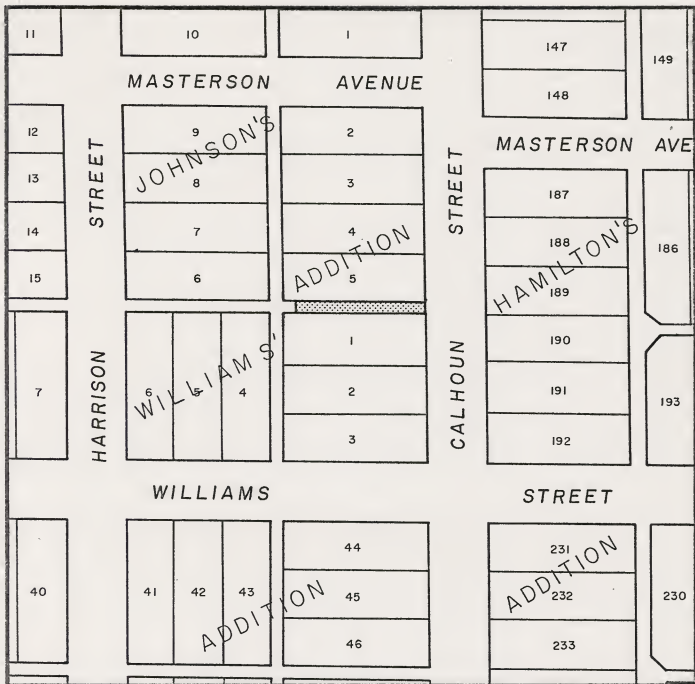
Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

DATE 5-28-74 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK



ALLEY TO BE VACATED

N

R E S O L U T I O N

WHEREAS, the City of Fort Wayne, Indiana, by and through its Department of Public Works, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of a portion of the following public alley located in Fort Wayne, Allen County, Indiana, to-wit:

A portion of the East-West alley, lying between Masterson Avenue and Williams Street, extending 135 feet west of the west Right-of-Way of Calhoun Street.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. S-53-744 (Burns 1964 Repl. Ed); and,

WHEREAS, notice of such public hearing has been given due and proper publication thereof; and,

WHEREAS, said public hearing was held on April 15, 1974, at 7:30 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said public alley;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of Fort Wayne, Indiana,

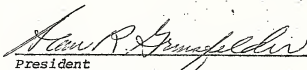
BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be and the same is hereby approved;

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Alan R. Grinsfelder, President of the
Fort Wayne City Plan Commission, do hereby certify that attached hereto
is a full, true and correct copy of a Resolution adopted by the Fort
Wayne City Plan Commission following a Public Hearing of said Commission
held on the 15th day of April, 1974, and as the same
appears on record in the official records of the Plan Commission.

Dated this 15th day of April, 1974.


President
Fort Wayne City Plan Commission

PETITION TO VACATE PORTION OF ALLEY

TO: The City Plan Commission
 City of Fort Wayne, Indiana

The City of Fort Wayne, Indiana, by and through its Department of Public Works, does hereby petition the Plan Commission of the City of Fort Wayne to vacate a portion of the following alley located within the City of Fort Wayne, Indiana, and described as follows:

A portion of the East-West alley, lying between Masterson Avenue and Williams Street, extending 135 feet west of the West Right-of-Way of Calhoun Street.

1. That no other person, firm, or corporation is interested in or affected by the requested vacation.

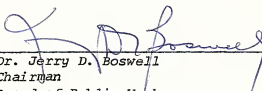
2. That portion of said alley is not necessary as ingress or egress to any other property whatsoever.

3. That the Board of Public Works will lease the property to the south for off-street parking facilities.


4. That the maintenance of said alley is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof, as well as the immediately adjoining property owners that said portion of alley be vacated as prayed.

Your Petitioners file this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744, in order to complete the vacation as above described.


WHEREFORE, your Petitioners pray that that portion of the above described alley be vacated according to the provisions of the Indiana Law Pertaining, thereto.



Dr. Jerry D. Boswell
Chairman
Board of Public Works

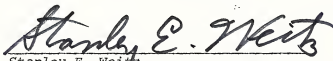


Ron Bonar
Member
Board of Public Works

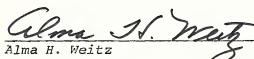


William G. Williams
Member
Board of Public Works

Haskell Schultz
President
Indiana Auto Driving School
(Lot # 1 Williams Addition)



Stanley E. Weitz
(Contract Purchaser - Lot # 5 Johnsons Addition)



Alma H. Weitz
(Contract Purchaser - Lot # 5 Johnsons Addition)



THE CITY OF FORT WAYNE

office of city plan commission

April 19, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

A portion of the East-West alley, lying between Masterson Avenue and Williams Street, Extending 135 feet west of the west right-of-way of Calhoun Street.

which was approved by the City Plan Commission at its regular meeting held March 25, 1974.

Respectfully submitted

CITY PLAN COMMISSION

Certified and signed this
19th day of April, 1974.

George H. Roser
Secretary

TITLE OF ORDINANCE _____

Portion of an alley vacation

D-74-0516

DEPARTMENT REQUESTING ORDINANCE _____

City Plan Commission

SYNOPSIS OF ORDINANCE _____

Preparation of an alley vacation ordinance petition

initiated by property owners to vacate a portion of an alley, described as follows:

A portion of the East-West Alley, lying between Masterson Avenue and

Williams Street, extending 135 feet west of the west Right-of-Way of

Calhoun Street.

EFFECT OF PASSAGE _____

Alley would be closed and utilized by abutting

property owners.

EFFECT OF NON-PASSAGE _____

Alley would remain as is.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

None

ASSIGNED TO COMMITTEE (J.N.) _____

Regulation



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

May 30, 1974

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of June 1 and June 8, 1974, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana, for the
following ordinances:
Zoning Map Ordinance No. Z-09-74
(Zoning Map No. C-14)
General Ordinance No. G12-74
(Vacation of portion of
Nevada Ave.)
General Ordinance No. G-13-74
(Vacation of Alley)
General Ordinance No. G-14-74
(Regulating unsafe buildings and
premises in Allen County)

Please send us six (6) copies of each paper of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 4

Common Council - City of Ft. Wayne
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

97

2

99

COMPUTATION OF CHARGES

99 lines, 1 column wide equals 99 equivalent lines at .288¢ cents per line

\$ 28.51

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

2.00

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 30.51

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 10, 1974

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken

She is Clerk

NEWS-SENTINEL

DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

time, the dates of publication being as follows:

June 1 & 8, 1974

Subscribed and sworn to before me this 10th day of June 1974

Notary Public

My commission expires March 11, 1976

Notice is hereby given that on the 28th day of May, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-7445-16 G-13-74 General Ordinance, to-wit:

BILL NO. G-7445-16
GENERAL ORDINANCE NO. G-13-74
AN ORDINANCE amending General Ordinance No. G-27 by vacating the vacation of a certain alley in the City of Fort Wayne, Indiana.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on April 15, 1974 following a public hearing thereon all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 285, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 35-144), the Thoroughfare Plan as set forth in General Ordinance No. G-27 adopted by the Common Council of the City of Fort Wayne on November 26, 1963 is amended by defining the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

A portion of the East-West alley, lying between Masterson Avenue and Williams Street, extending 135 feet west of the West Right-of-Way of Columbus Street.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckolls
Councilman

Read the third time in full and on motion by Nuckolls, seconded by V. E. Schmidt, and duly adopted, placed on its passage.

PASSED by the following vote:

Ayes: Eight

Nays: None

Abstained: One, Burns

Date: 5-28-74

Charles W. Westernman
City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 19th day of May, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westernman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

I, Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-13-74 passed by the Common Council on the 28th day of May, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of May, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of May, 1974.

CHARLES W. WESTERMAN
CITY CLERK

Common Council - City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

99 lines 1 columns wide equals 99 equivalent lines at 288¢
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 10, 1974

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA
in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows: June 1 & 8, 1974

Subscribed and sworn to before me this 10th day of June 1974

My commission expires March 11, 1976

Notary Public

Notice is hereby given that on the 28th day of May, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-1424-14 G-15-14 General Ordinance, to-wit:

BILL NO. G-74-05-14
GENERAL ORDINANCE NO. G-13-74
AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne, Indiana.BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on April 15, 1974 following a public hearing thereof in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 5-2-44), the Thermoplane Plots as set forth in General Ordinance No. G-27 adopted by the Common Council of the City of Fort Wayne on November 26, 1962, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

A portion of the East-West alley, lying between Houston Avenue and Williams Street, extending 135 feet west of the West Right-of-Way of Calhoun Street.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
HINGG, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Siler, Talarico
NAYS: None
Abstained: One, Burns
Date: 5-28-74

Charles W. Westernman

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-13-74 on the 28th day of May, 1974.

ATTEST: (SEAL)
Charles W. Westernman
City Clerk

Samuel J. Talarico

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 19th day of May, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westernman

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff

I, Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-13-74 passed by the Common Council on the 28th day of May, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of May, 1974 and now remains on file and on record in my office.

WITNESSE my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of May, 1974.

CHARLES W. WESTERMAN
CITY CLERK